

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ZURICH AMERICAN LIFE INSURANCE	:	
COMPANY,	:	Civil Action No.:
	:	20-cv-11091 (JSR)
Plaintiff,	:	
v.	:	
JON NAGEL,	:	
	:	
Defendant.	:	
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**DECLARATION OF CHRISTINE L. HOGAN, ESQ. IN SUPPORT OF DEFENDANT’S  
MOTION TO STRIKE AND MOTION TO DISMISS**

I, Christine L. Hogan, pursuant to 28 U.S.C. § 1746, declare and state as follows:

1. I am a member of the bar of this Court and a Partner at the law firm Wigdor LLP, attorneys for Defendant Jon Nagel (“Defendant”) in the above-captioned matter filed by Zurich American Life Insurance Company (“Plaintiff”).

2. Attached hereto as **Exhibit 1** is a true and accurate copy of the Complaint filed in this matter in the Southern District of New York on December 30, 2020 (“SDNY Complaint”), without its exhibits (which are attached to this Declaration separately below).

3. Attached hereto as **Exhibit 2** is a true and accurate copy of the “Agreement Relating to Proprietary Information/Equipment/Work Development” that Defendant signed upon his hire by Plaintiff, and which was attached as Exhibit A to the SDNY Complaint.

4. Attached hereto as **Exhibit 3** is a true and accurate copy of the letter that Plaintiff mailed to Defendant on November 6, 2020, requesting that Defendant return all confidential and proprietary information to Plaintiff, and which was attached Exhibit B to the SDNY Complaint.

5. Attached hereto as **Exhibit 4** is a true and accurate copy of the email correspondence between Thomas Budd, Esq. and Plaintiff's counsel regarding settlement negotiations, and which was attached as Exhibit C to the SDNY Complaint.

6. Attached hereto as **Exhibit 5** is a true and accurate copy of the New York State Complaint filed by Defendant on December 29, 2020, alleging that Plaintiff discriminated and retaliated against him when they terminated his employment three days before his 70th birthday and after multiple complaints of age discrimination.

7. Attached hereto as **Exhibit 6** is a true and accurate copy of the receipt confirming that Defendant returned Plaintiff's materials via messenger on November 13, 2020.

8. Attached hereto as **Exhibit 7** are true and accurate copies of Defendant's timesheets, covering time from November 18, 2019 to March 1, 2020.

9. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: March 24, 2021  
New York, New York

By:   
Christine L. Hogan